



California Regional Water Quality Control Board

Los Angeles Region



Terry Tamminen
Secretary for
Environmental
Protection

Over 50 Years Serving Coastal Los Angeles and Ventura Counties

Recipient of the 2001 Environmental Leadership Award from Keep California Beautiful

Arnold Schwarzenegger
Governor

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.swrcb.ca.gov/rwqcb4>

Michael B. Whitby
Santa Catalina Island Company
PO Box 737
Avalon, CA 90704

WATER QUALITY CERTIFICATION FOR PROPOSED 32 ADDITIONAL MOORINGS PRC 3639.1 PROJECT (Corps' Project No. 2003-00850-JLB THROUGH 2003-00860-JLB), ISTHMUS AREA, SANTA CATALINA ISLAND, PACIFIC OCEAN, LOS ANGELES COUNTY (File No. 04-114)

Dear Mr. Whitby:

Regional Board staff has reviewed your request on behalf of the Santa Catalina Island Company (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on August 8, 2004.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Valerie Carrillo, Lead, Section 401 Program, at (213) 576-6759.

[Original Signed by]
Jonathan Bishop
Interim Executive Officer

September 14, 2004
Date

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

DISTRIBUTION LIST

Oscar Balaguer
State Water Resources Control Board
Division of Water Quality
P.O. Box 944213
Sacramento, CA 94244-2130

Josh Burnam
U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

Steven John
U.S. Environmental Protection Agency
c/o U.S. Army Corps of Engineers
Regulatory Branch, Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

Tim Vendlinski
Supervisor, Wetlands Regulatory Office (WTR-8)
US EPA, Region 9
75 Hawthorne
San Francisco, CA 94105

Ken Berg
U.S. Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92009

ATTACHMENT A

Project Information File No. 04-114

1. Applicant: Santa Catalina Island Company
PO Box 737
Avalon, CA 90704

Phone: (310) 510-2000 x1380 Fax: (310) 510-2300
2. Applicant's Agent: Michael B. Whitby
3. Project Name: 32 Additional Moorings PRC 3639.1
4. Project Location: Isthmus Cove, Santa Catalina Island, Los Angeles County

Longitude: 118° 29' 54"; Latitude: 33° 26' 31"
5. Type of Project: Mooring installations
6. Project Description: *Purpose:*
The installation of 32 moorings to State Lands Lease PRC 3639.1 to be used by support vessels and seasonal live-aboard employees that support the operations required by said lease.

Description:
The mooring weights and tackle (chain) are staged from the Mooring Service Shop located at Two Harbors (the Isthmus) on Santa Catalina Island. The equipment is loaded onto the mooring vessel by hoist or life truck. The mooring weights and tackle are lowered by hoist from the mooring service vessel. Placing the mooring equipment takes approximately 2 hours per mooring.
7. Federal Agency/Permit: U.S. Army Corps of Engineers
Provisional Letter of Permission
(Permit Nos. 2003-00850-JLB through 2003-00860-JLB)

ATTACHMENT A

Project Information File No. 04-114

8. Other Required Regulatory Approvals: California Coastal Commission
Coastal Development Permit
9. California Environmental Quality Act (CEQA) Compliance: The proposed project is Categorically Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 (Replacement or Reconstruction).
10. Receiving Water: Santa Catalina Island (Hydrologic Unit No. 406.40)
11. Designated Beneficial Uses: REC1, REC2, WARM, WILD, RARE
12. Impacted Waters of the United States: Ocean: 0.011 temporary acres
13. Dredge Volume: None
14. Related Projects Implemented/to be Implemented by the Applicant: The Applicant has no related projects carried out in the last 5 years or planned for implementation in the next 5 years.
15. Avoidance/Minimization Activities: The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:
- The moorings will be placed in areas currently used for anchorages. The moorings should have considerably less impact than the anchorages. In addition, the sites chosen do not harbor sensitive marine resources;
 - To further minimize negative impact from such mooring use, a pump-out vessel is operating and available on a daily, on-call basis. All vessels which would potentially utilize the proposed moorings shall provide evidence of proper sewer management;

ATTACHMENT A

Project Information

File No. **04-114**

- Installation of silt screens will take place in order to confine the work area and minimize turbidity; and
- Pre-construction surveys shall be performed for *Caulerpa taxifolia* (“*Caulerpa*”) within the project area in accordance with the *Caulerpa* Control Protocol.

16. Proposed
Compensatory
Mitigation:

In coordination with NOAA Fisheries, the Applicant will implement a pre- and post-construction survey for surfgrass, eelgrass and rocky habitat. Surfgrass, eelgrass or rocky habitat lost due to project impacts will be mitigated at a ratio of 1:1.

The Applicant shall submit to this Regional Board **Annual Monitoring Reports** documenting the success of all restoration and mitigation efforts, including, percent survival by plant species and percent cover. The reports shall include discussion of any monitoring activities and exotic plant control efforts. Representative photographs shall be included in the reports. The reports shall be submitted by **January 1st** of each year for a period of **five (5) years** after mitigation efforts begin.

It is not anticipated that the project activity will have a negative impact on waters of the United States. During the construction, all possible BMPs will be utilized in order to minimize impacts to waters. The impacts associated with this project are minimal and temporary in nature. Therefore, compensatory mitigation will not be required by the Regional Board to offset the impacts associated with this project.

ATTACHMENT B

Conditions of Certification **File No. 04-114**

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.